THE HON'BLE SRI JUSTICE BILAL NAZKI

and

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.3351 OF 2003

Dated 13th December, 2005

Between:

Savani Transport (Pvt.) Ltd …Petitioner

And

Vijayawada Municipal Corporation

And another …Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

and

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.3351 OF 2003

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

A notice has been given to the petitioner to pay property tax to the tune of Rs.46,772/-. His grievance is that he is occupying godown in the ground floor and also office in the first floor of the building and he is paying Rs.500/- each per month as rent to the landlord and the first respondent has assessed the whole building for the purpose of tax by serving an occupier's notice on him.

Learned counsel for the first respondent submits that the petitioner was supposed to

file objections to the notice given and he has already filed objections by way of issuing a legal notice on 21-02-2003 in response to the notice.

There are some questions of fact, which need to be decided in this matter. Since the notice has already been given to the petitioner and he has also given a legal notice, we think it appropriate that the authority concerned may consider the matter and after hearing the petitioner pass appropriate orders. The petitioner is at liberty to file fresh objections to the notice issued to him within a period of one week from the date of receipt of a copy of this order. The matter shall be decided by the Commissioner, Vijayawada Municipal Corporation, within a period of two weeks thereafter. Till the matter is decided by the Commissioner, the stay granted by this Court earlier shall remain operative. This order shall not preclude the Commissioner of the Municipality to proceed against the owner in accordance with law.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, J)

13th December, 2005

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(S.Ananda Reddy,J)

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